

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 78 Session of 2011

INTRODUCED BY BENNINGHOFF, HANNA, STABACK, BARRAR, CONKLIN,  
 D. COSTA, CREIGHTON, CUTLER, FABRIZIO, FLECK, GABLER, GEIST,  
 GILLESPIE, GINGRICH, GROVE, HELM, HENNESSEY, KAUFFMAN,  
 KNOWLES, KORTZ, MARSICO, MILLER, OBERLANDER, O'NEILL,  
 PASHINSKI, PYLE, RAPP, READSHAW, ROAE, ROCK, K. SMITH, STERN,  
 SWANGER, TALLMAN, VULAKOVICH AND WATSON, JANUARY 25, 2011

REFERRED TO COMMITTEE ON GAME AND FISHERIES, JANUARY 25, 2011

AN ACT

1 Amending Title 30 (Fish) of the Pennsylvania Consolidated  
 2 Statutes, further providing for the offense of homicide by  
 3 watercraft while operating under influence.

4 The General Assembly of the Commonwealth of Pennsylvania  
 5 hereby enacts as follows:

6 Section 1. Section 5502.1(a) of Title 30 of the Pennsylvania  
 7 Consolidated Statutes is amended to read:

8 § 5502.1. Homicide by watercraft while operating under  
 9 influence.

10 (a) Offense defined.--Any person who unintentionally causes  
 11 the death of another person as the direct result of a violation  
 12 of section 5502 (relating to operating watercraft under  
 13 influence of alcohol or controlled substance) and who is  
 14 convicted of violating section 5502 commits a felony of the  
 15 [third] second degree when the violation is the cause of death  
 16 and the sentencing court shall order the person to serve a

1 minimum term of imprisonment of not less than three years.

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3 Section 2. This act shall take effect in 60 days.